

July 2017

Reasonably practicable

A person conducting a business or undertaking (PCBU) must ensure, so far as is reasonably practicable, the health and safety of workers, and that other persons are not put at risk by its work. Risks that arise from work must be eliminated so far as is reasonably practicable. If a risk can't be eliminated, it must be minimised so far as is reasonably practicable. This fact sheet will help you to decide what is reasonably practicable in your circumstances.

How do you decide what is reasonably practicable in your circumstances?

There are two parts to 'reasonably practicable'. You first consider what is possible in your circumstances to ensure health and safety. You then consider, of these possible actions, what is reasonable to do in your circumstances. You need to achieve a result that provides the highest protection that is reasonably practicable in your circumstances.

When thinking about what 'reasonably practicable' means, ask the following questions.

How likely is the risk and how severe is the harm that might result?

Risks to health and safety arise from people being exposed to hazards (anything that can cause harm). More should be done to eliminate the risk if death, serious injury or a long term/irreversible health condition is a possible or likely result. The greater the potential harm, the greater the action required. For risks that have unacceptable outcomes even if they have a low likelihood of occurring, look at credible worst case scenarios.

What do you know, or ought reasonably to know, about the hazard or risk and the ways of eliminating or minimising the risk?

You are expected to find out if there are any ways (control measures) to eliminate or minimise the risk.

What is the availability of the control measures, and how suitable are they for the specific risk?

How a risk is eliminated or minimised will depend on the situation, type of work, work environment etc. This is where you will need to apply judgement to figure out the best actions to take.

Be aware that there can still be risks even after you implement control measures. Control measures themselves may introduce risks (eg using hearing protection means workers may not hear approaching vehicles). These risks must also be eliminated or minimised, so far as is reasonably practicable.

Look at the end of this fact sheet for where you can find help to do this.

As a final step, what are the costs of the control measure and are the costs grossly disproportionate to the risk?

After assessing the answers to the questions above, consider the costs associated with the ways to eliminate or minimise risks including whether they are grossly disproportionate to the risk.

Just because something is possible to do, doesn't mean it is reasonably practicable in the circumstances. However, cost can only be used as a reason to **not** do something when it is grossly disproportionate to the risk.

Example: If workers are regularly exposed to harmful levels of airborne contaminants, having local exhaust ventilation in place to remove the airborne contaminants at their source (in addition to other control measures such as respiratory protective equipment) is probably not grossly disproportionate.

Is using widely used control measures being 'reasonably practicable'?

You could check if there are widely used control measures (eg industry standards) for that risk. However, just because something is a common practice doesn't mean that this action is managing the risk so far as is reasonably practicable. You should focus on the most effective control measures for your circumstances.

Example: To minimise the potential harm (eg noise induced hearing loss) from loud noise, it is a widely used practice for workers to just wear hearing protection (eg ear muffs).

However personal protective equipment should not be the first or only control measure considered. Before using hearing protection to minimise worker exposure to loud noise, businesses should first consider whether so far as is reasonably practicable they can:

- replace noisy machinery with quieter machines
- install noise barriers and move a noisy machine to a separate room so fewer workers are exposed to the noise
- fit silencers to reduce machine noise
- rotate jobs to reduce the number of workers exposed to machine noise and reduce the time workers are exposed to excessive noise.

Hearing protection is then used if workers are still exposed to unsafe noise levels after other control measures have been applied.

Where can you get help?

You could:

- talk to your workers, health and safety representatives (HSRs) or committees (HSCs)
- talk to other PCBUs in your industry
- seek professional guidance
- check the WorkSafe website: www.worksafe.govt.nz for good practice advice on dealing with certain work risks.

PUBLISHED: JULY 2017. CURRENT UNTIL REVIEW IN 2019.